

Maine Revised Statutes
Title 22: HEALTH AND WELFARE
**Chapter 1674: INVESTIGATION OF OUT-
OF-HOME CHILD ABUSE AND NEGLECT**

§8352. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [2015, c. 283, §3 (NEW).]

1. Abuse or neglect. "Abuse or neglect" means a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, failure to ensure compliance with school attendance requirements under Title 20-A, section 3272, subsection 2, paragraph B or Title 20-A, section 5051-A, subsection 1, paragraph C by a person responsible for the child.

[2015, c. 283, §3 (NEW) .]

2. Child. "Child" means any person who is less than 18 years of age.

[2015, c. 283, §3 (NEW) .]

3. Custodian. "Custodian" means the person who has legal custody and power over the person of a child.

[2015, c. 283, §3 (NEW) .]

4. Division. "Division" means the division of licensing and regulatory services within the department.

[2015, c. 283, §3 (NEW) .]

5. Family foster home. "Family foster home" has the same meaning as set out in section 8101, subsection 3.

[2015, c. 283, §3 (NEW) .]

6. Jeopardy. "Jeopardy" means serious abuse or neglect, as evidenced by:

A. Serious harm or threat of serious harm; [2015, c. 283, §3 (NEW) .]

B. Deprivation of adequate food, clothing, shelter, supervision or care or education when the child is at least 7 years of age and has not completed grade 6; [2015, c. 283, §3 (NEW) .]

C. Deprivation of necessary health care when the deprivation places the child in danger of serious harm; [2015, c. 283, §3 (NEW) .]

D. Abandonment of the child or absence of any person responsible for the child, which creates a threat of serious harm; or [2015, c. 283, §3 (NEW) .]

E. Other situations of serious abuse or neglect. [2015, c. 283, §3 (NEW) .]

[2015, c. 283, §3 (NEW) .]

7. Licensed. "Licensed" means holding the whole or any part of any permit, certificate, approval, registration, charter or similar form of permission required by law that represents an exercise of the State's regulatory or police powers.

[2015, c. 283, §3 (NEW) .]

8. Office. "Office" means the Office of Child and Family Services in the department.

[2015, c. 283, §3 (NEW) .]

9. Out-of-home child abuse or neglect investigation team; investigation team. "Out-of-home child abuse or neglect investigation team" or "investigation team" means individuals employed by the division to investigate allegations of out-of-home child abuse or neglect.

[2015, c. 283, §3 (NEW) .]

10. Out-of-home child abuse or neglect. "Out-of-home child abuse or neglect" means child abuse or neglect that occurs in a facility or by a person subject to licensure or inspection by the department, the Department of Education or the Department of Corrections or in a facility operated by any of these departments.

[2015, c. 283, §3 (NEW) .]

11. Person. "Person" means an individual, corporation, facility, institution, public or private agency or similar entity.

[2015, c. 283, §3 (NEW) .]

12. Person responsible for the child. "Person responsible for the child" means a person with responsibility for a child's health or welfare including a licensed facility that as part of its function provides for the care of the child.

[2015, c. 283, §3 (NEW) .]

13. Resource family. "Resource family" has the same meaning as in section 4002, subsection 9-D.

[2015, c. 283, §3 (NEW) .]

14. Runaway. "Runaway" has the same meaning as in section 4099-D, subsection 3.

[2015, c. 283, §3 (NEW) .]

15. Serious harm. "Serious harm" means:

A. Serious injury; [2015, c. 283, §3 (NEW) .]

B. Serious mental or emotional injury or impairment that now or in the future is likely to be evidenced by serious mental, behavioral or personality disorder, including severe anxiety, depression or withdrawal, untoward aggressive behavior, seriously delayed development or similar serious dysfunctional behavior; or [2015, c. 283, §3 (NEW) .]

C. Sexual abuse or exploitation. [2015, c. 283, §3 (NEW) .]

[2015, c. 283, §3 (NEW) .]

16. Serious injury. "Serious injury" means serious physical injury or impairment.

[2015, c. 283, §3 (NEW) .]

17. Suspicious child death. "Suspicious child death" means the death of a child under circumstances in which there is reasonable cause to suspect that abuse or neglect was a cause of or factor contributing to the child's death.

[2015, c. 283, §3 (NEW) .]

SECTION HISTORY

2015, c. 283, §3 (NEW) .

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